

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

**19-CV-1413** PSL-BAT

Richard H. Warren  
(Name of Plaintiff)

VS.

CIVIL RIGHTS COMPLAINT  
BY A PRISONER UNDER 42  
U.S.C. § 1983

STATE OF WASHINGTON,  
DEPARTMENT OF CORRECTIONS,  
(DOC) MONROE CORRECTIONS COMPLEX-TRU  
and Listed DEFENDANTS, C.R.C.  
(Names of Defendant(s))

**I. Previous Lawsuits:**

A. Have you brought any other lawsuits in any federal court in the United States while a prisoner?:

☒ Yes ☐ No

B. If your answer to A is yes, how many?: 2. Describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff: Richard H. Warren  
Defendants: (DOC) McNeil Island Corrections Center

2. Court (give name of District): Western District (Tacoma)

3. Docket Number: 210-5239 BBL/KLS

8. Richard H. Warren, (Plaintiff)

(DOC) Stafford Creek Corrections Center, (Defendants)

9. Western District, (Court) Tacoma

no.

10. C11-5686 BHS/KLS, (Docket)

11. Karen L. Strombom, (Judge)

12. Case Closed, 12-10-2012, (Disposition)

13. 8-29-2011, (Filing of lawsuit)

14. 12-10-2012, (Approximate date of disposition)

4. Name of judge to whom case was assigned: Karen Staaborn

5. Disposition (For example: Was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?):  
Case closed 4-19-2011

6. Approximate date of filing lawsuit: 4-26-2010

7. Approximate date of disposition: 4-19-2011  
SEE: Attached

II. Place of Present Confinement: Coyote Corrections Center (CRCC)

A. Is there a prisoner grievance procedure available at this institution? ☒ Yes ☐ No

B. Have you filed any grievances concerning the facts relating to this complaint?  
☒ Yes ☐ No

If your answer is NO, explain why not:

C. Is the grievance process completed? SEE: Attached Grievance Filed, Under C. ☐ Yes ☒ No

If your answer is YES, ATTACH A COPY OF THE FINAL GRIEVANCE RESOLUTION for any grievance concerning facts relating to this case.

### III. Parties to this Complaint

A. Name of Plaintiff: Richard H. Warren Inmate No.: 952316

Address: Coyote Ridge Corrections Center, I-Box 1, PO Box 769, Comall, WA 99326.

(In Item B below, place the full name of the defendant, his/her official position, and his/her place of employment. Use item C for the names, positions and places of employment of any additional defendants. Attach additional sheets if necessary.)

B. Defendant: Monroe Corrections Complex (TRU) Official Position: PRISON

Place of employment: DOC, Monroe, Washington

C. Additional defendants State of Washington, Official Position: AG  
Place of employment: Olympia, Washington

SEE: Attached

- 1 Defendant: Adelaide O. HORNE, Official Position, Health Service Provider
- 2 Place of employment: MONROE Corrections Complex-Twin Rivers Unit
- 3
- 4 Defendant: Department of Corrections, Official Position, Headquarters
- 5 Place of employment: Olympia, Washington
- 6
- 7 Defendant: Belinda Stewart, Official Position, CPA-Religious Program Mgt
- 8 Place of employment: DOC, Headquarters-Olympia, Washington
- 9
- 10 Defendant: Abeig Awad, Official Position, Health Service Provider
- 11 Place of employment: MONROE Corrections Complex-Twin Rivers Unit
- 12
- 13 Defendant: Michael S. Hathaway, Official Position, CPM
- 14 Place of employment: MONROE Corrections Complex-Twin Rivers Unit
- 15
- 16 Defendant: Kenneth Sawyer (MD), Official Position, Orthopedic Specialist
- 17 Place of employment: DOC, Olympia, Washington
- 18
- 19 Defendant: Mary A. Gumbo, Official Position, Health Service Provider
- 20 Place of employment: MONROE Corrections Complex-Twin Rivers unit
- 21
- 22 Defendant: Patricia Christiansen, Official Position, Health Service Provider
- 23 Place of employment: MONROE Corrections Complex-Twin Rivers unit
- 24
- 25 Defendant: Jeffery E. Flick, Official Position, CUS (D-unit)
- 26 Place of employment: MONROE Correction Complex-Twin Rivers unit
- 27
- 28

1 Defendant: Monguessa D. Walker, Official Position: Counselor (D-unit)  
 2 Place of employment: Monroe Corrections Complex-Twin Rivers Unit  
 3  
 4 Defendant: Steven M. Sager, Official Position: Counselor (D-unit)  
 5 Place of employment: Monroe Corrections Complex-Twin Rivers Unit  
 6  
 7 Defendant: Sarah E. Landis, Official Position: Health Service Provider  
 8 Place of employment: Coyote Ridge Corrections Center  
 9  
 10 Defendant: Brandi Blain, Official Position: Grievance Coordinator  
 11 Place of employment: Monroe Corrections Complex-Twin Rivers Unit  
 12  
 13 Defendant: C/O Santak Thomas A (D-unit), Official Position: Sergeant (Sgt)  
 14 Place of employment: Monroe Corrections Complex-Twin Rivers Unit  
 15  
 16 Defendant: C/O Kirt, Official Position: Officer (D-unit)  
 17 Place of employment: Monroe Corrections Complex-Twin Rivers Unit  
 18  
 19 Defendant: Coyote Ridge Corrections Center, Official Position: Prison  
 20 Place of employment: Cornell, Washington  
 21  
 22 Defendant: \_\_\_\_\_, Official Position: \_\_\_\_\_  
 23 Place of employment: \_\_\_\_\_  
 24  
 25 Defendant: \_\_\_\_\_, Official Position: \_\_\_\_\_  
 26 Place of employment: \_\_\_\_\_  
 27  
 28

## Grievances Filed

- A. MCE-TRU, Sick Call Refusal: Filed 3-12-2019, Log ID no. 19675053, (open), grieved as; Cruel and unusual punishment, irreparable harm, medical deliberate indifference, medical neglect, mental anguish, ill intent, inadequate medical care, pain and suffering, not valuing me, Compassion Fatigue.
- B. MCE-TRU, MAT and Neurologist Refusal: Filed 5-5-2019, Log ID no. 19678588, (open), grieved as; Cruel and unusual punishment, deliberate indifference, ill intent, staff misconduct, Conspiracy.
- C. MCE-TRU, Retaliatory Transfer: Filed 6-19-2019, Log ID no. 19681371, (closed) has not accepted 7-22-2019: grieved as; Violation of Religious Freedoms, Retaliatory transfer, Religious discrimination, staff misconduct, Conspiracy.
- D. CRCC, Religious discrimination: Filed 6-26-2019, Log ID no. 19682775, (open), grieved as; Religious discrimination.
- E. CRCC, Physician Refusal of Care: Filed 7-17-2019, Log ID no. 19683071, (open), grieved as; Deliberate indifference, Cruel and unusual punishment, malpractice, incompetence, staff misconduct.
- F. MCE-TRU, Mail Room Theft: Filed 3-27-2019, Log ID no. 19675939 (open), grieved as; Grand Larceny, misappropriation of Inmates Funds and property, petty theft, staff misconduct. NOTE: This is a separate issue but is related to the nature of my complaint under Retaliatory transfer and Retaliation for use of grievance program.

NOTE: Please Review each grievance; initial, re-write, and appeal for clear context.

## IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates, places, and other persons involved. Do not give any legal arguments or cite any cases or statutes. If you allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets if necessary.)

1 I want to file a formal complaint against Monroe Correction Complex-Twin Rivers unit, ~~CRCC~~, The  
2 department of Corrections, The State of Washington, Adelaide O. Horne, Michael S. Hathaway,  
3 Kenneth Sawyer, Mary A. Gumbo, Patricia Christiansen, Jeffrey E. Flink, Moqueesha D. Walker,  
4 Steven M. Sager, Brandi Blair, Arzig Awad, C/O Kiat, Thomas A. Kontak, Belinda Stewart,  
5 Sarah E. Lawlis for cruel and unusual punishment, irreparable harm, systemic cruelty, display of  
6 unnecessary violation/inflation of pain, failure to report L+I work injury, medical failure to  
7 protect, medical deliberate indifference, conspiracy, medical malpractice, medical incompetence,  
8 willful endangerment, hate crime, willful disregard for human life, negligence, equal protection  
9 violations, religious discrimination, religious deliberate indifference, medical individual carelessness,  
10 interfering with seriously needed medical care, treatment and therapy, causing imminent danger  
11 of serious physical injury, conspiracy to deny freedom of religion, conspiracy to deny  
12 adequate medical care, conspiracy to deny due process under DOC grievance program, abuse,  
13 coercion, obstruction of medical care, obstruction of religious exercise, conspiracy to  
14 commit 1 and 2 degree assault and battery, willful intent to cause harm, ill-intent, reckless  
15 endangerment, medical compassion fatigue, Anti-Semitism, retaliation, violation of medical code  
16 of ethics, property damage and loss, denial of sick-call medical care, retaliatory transfer, denying my  
17 rights to access life and limb saving treatments and therapies, denying this prisoner life, limb,  
18 liberty in the pursuit of happiness, and violated my freedom of speech rights.

19  
20 On approximately 11-9-2017 Coyote Ridge Correctional Center transferred me to Monroe Correction  
21 Complex-Twin Rivers unit under: Religious Priority Transfer by DOC (HQ) headquarters,  
22 per CPA Religious program manager Belinda Stewart. The transfer was implemented  
23 under the framework that DOC HQ said it more religiously accommodating and suitable to  
24 place all Jewish prisoners at one facility (CRCC) Monroe Correction Center, a more  
25 accessible location for Seattle Jewish organizations. I agreed to HQ's religious transfer  
26 offer presented to me by way of CRCC chaplain ERIC ASKREN, facilitated by Counselor CR22  
27 Duane D. Rhymes of CRCC D-Unit. . . . NOTE: March of 2011 Stafford Creek Correctional  
28 Center transferred this prisoner to CRCC for religious needs. CRCC adequately accommodated my  
29 religious needs for approximately 7 years until the HQ 2017 Religious Transfer to MCR-TWR.  
30 CRCC ended Orthodox Judaism services after transferring me, I was the only Orthodox Jew at CRCC.

## V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1 ON approximately 2-14-2019 at (MCC-TRU) MONROE CORRECTIONS Complex-Twin Rivers unit while in  
 2 the course of employment as the D-unit, C-wing Custodian I sustained a lower back injury  
 3 from the lifting trash cans and boxes nature of the job. I initially reported the back pains to D-unit  
 4 staffing, C/O's Hussy and Simpson they advised if the issue continued report to sick-call. ON 2-20-2019  
 5 I saw PACE Mary A. Gumbo due to continued lower back pain and lack of movements. ON 2-22-2019 at  
 6 approximately 5:40 am I declared a medical emergency having extreme lower back pain and right leg pain, I  
 7 was seen by PACE Patricia Christiansen. ON 2-25-2019 due to increasing suffering and pain I was  
 8 examined by PACE Adelaide O. Horne my MCC-TRU primary care giver who diagnosed my condition as  
 9 sciatica. ON 3-28-2019 PACE Horne, after a second examination sought Consulting (CNC) Care  
 10 Review Committee for MRI testing duplicity. ON 5-23-2019 PACE Horne informed my condition was  
 11 also a herniated disk upon her dialogue with Doctor Kenneth Sawyer MD. ON 5-29-2019 PACE Horne  
 12 advised possible surgical repair and scheduled physical therapy for 6-10-2019. ON 6-6-2019 MCC-TRU  
 13 Medical had me sign the MRI screening form for Evergreen Health Monroe, the MRI never happened  
 14 due to MCC-TRU custody was permitted to transfer me out of MCC-TRU ON 6-10-2019 for my  
 15 Refusing to take the SOAP program, and as an attempt to negate grievances against MCC-TRU.  
 16 MCC-TRU medical permitted custody to put me in transit in my condition, and did not establish a  
 17 medical hold on me until properly repaired medically, transit caused me more pain and suffering,  
 18 delay of adequate care of this prisoner, interference of treatment, caused imminent danger of serious  
 19 physical injury, irreparable harm, in which presented an unnecessary wanton infliction of pain by  
 20 MCC-TRU medical allowing Doc Custody to dictate medical care and decision regarding the health and  
 21 welfare of persons ward of the State of Washington and the department of Corrections. ON 7-3-2019  
 22 nearly four months from my initial examination by PACE Horne ON 2-25-2019 an MRI was initiated at  
 23 TADOS hospital in Richland Washington, this displays a clear indication of cruel and unusual punishment of  
 24 this prisoner, and deliberate indifference on all parties stated in this complaint. ON 3-12-2019 due to  
 25 suffering intense back pain, leg numbing and pain, I went to MCC-TRU medical sick call, at that time  
 26 MCC-TRU medical staff and an unknown provider refused me sick-call, stating my condition was  
 27 on-going and not a sick-call matter and to sign up to see my provider, a process that takes up to two

1 weeks. upon being denied medical care 3-12-2019 by MEX-TRU medical, I Filed a Formal grievance on  
 2 3-12-2019 under cruel and unusual punishment, the grievance as of 6-7-2019 is under level 3 appeal,  
 3 but as of my 6-10-2019 transfer to CREC, the MEX-TRU grievance coordinator Brandi Blair in a  
 4 conspiratorial attempt to shield inappropriate conduct of MEX-TRU medical and custody officials  
 5 continues to impede grievance process. On 5-4-2019 Doe MEX-TRU custody of D-unit, held a  
 6 (FRMT) Facility Risk Management team, Facilitated by Gus Flick and Counselors Sager and Walker,  
 7 I was told I was taking up bed space due to not doing the sex treatment program and I needed  
 8 TLC (Thinking For a Change programming), thus I was being transferred out. I informed them my  
 9 placement at MEX-TRU was Religious priority placement per HQ in 2017 for Jewish program  
 10 services, I also informed them that I had a serious medical condition (SEIZURE) awaiting  
 11 further care. My comments and facts fell on deaf ears and hands, and in a malicious act to  
 12 cause this prisoner further damage, pain, emotional distress and suffering initiated a transfer  
 13 order for CREC placement, opposite of (WSR) placement, at ten minute drive to Monroe  
 14 Washington State Reformatory where it facilitates Orthodox Jewish Religious services. This displayed  
 15 ill-intent to cause harm, set forth threat and risk of physical injury, Religious Freedom infringement,  
 16 Religious discrimination, treatment interference, inadequate medical care regarding medical staff who  
 17 were consulted, cruel and unusual punishment, Failure to protect and Anti-Semitism by defendants.  
 18 To ensure successful HQ support for transfer FRMT excluded my comments from documentation.  
 19 As additional collaborators in the conspiracy and coercion in this matter of cruel and unusual  
 20 punishment are defendants Sergeant Kantak and C/O Kirk. Sgt Thomas A. Kantak in  
 21 conjunction with Gus Flick and MEX-TRU medical's want to torture this prisoner at a  
 22 maximum degree with full knowledge of my medical disposition and condition and (HSR)  
 23 Health Status Report in which detailed restrictions, constantly cell moved this prisoner within a  
 24 period of a month and a half from C-wing 501 to B-wing 320 lower bunk to C-wing 501 upper bunk  
 25 to C-wing 506 lower bunk to C-wing 505 lower bunk to (WCC) R-5 Floor to CREC I-B01-lower bunk. The  
 26 MEX-TRU D-unit C and B wing move Log for the months of February, March, April and June 2019 will  
 27 attest to this fact and statement. On 6-10-2019 I arrived at (WCC) Washington Correction Center  
 28 Receiving Center in Shelton Washington after a painful two hour bus transport, where I slept on

1 the floor in the R-5 unit for three days. On 6-13-2019 I underwent additional abuse  
 2 including a second bus transport for nine hours to CACC Connell Washington. The  
 3 transfer shows good cause exists that state employees have caused me gross deprivations and an  
 4 unparalleled measure. On 5-21-2019, 5-22-2019 and 5-23-2019 I Kiosk messaged CPM Michael S.  
 5 Hathaway of MCC-TRU regarding the retaliatory transfer, Hathaway responded; he hoped HQ  
 6 was informed with all the needed information before their decision to approve transfer. I  
 7 replied, HQ sent me to MCC-TRU under Religious priority transfer 2017, and of my current  
 8 medical condition. The defendants as DOE personal and State of Washington employees set forth to  
 9 coerce this prisoner to submit to participation in a volunteer based treatment not court ordered in  
 10 the judgment and sentence of this prisoner, under threat of 1. Transfer 2. Halt of medical care  
 11 3. loss of religious services, with the underlined agenda to purge all active grievances against  
 12 MCC-TRU medical and mail room. The MCC-TRU FRMT hard copy dated 5-17-2019 of the 5-9-2019  
 13 Classification supports allegation of coercion holding ring of truth. On 6-7-2019 in a childish  
 14 senseless malicious act, C/O Kirt of D-unit, who packed my property, without my knowing  
 15 purposely packed my CD-Radio-cassette player in a half filled box to be broken in shipping, C/O Kirt  
 16 stated it was in a separate box for protection and I now had 11 boxes instead of 10, and that box was  
 17 secure and safe. However, the player was destroyed. C/O Kirt's actions also fall under cruel and  
 18 unusual punishment, he violated the shipping DOE policy of prisoners property of electronics, which  
 19 caused damage and property loss. Policy requires the application of bubble wrapping.  
 20 Defendants were of full knowledge that CACC offered no Orthodox Jewish Judaism Religious  
 21 service as of November of 2017. On 6-17-2019 I filed a formal grievance on MCC-TRU regarding  
 22 this issue, and on 6-26-2019 Brandi Blair, the MCC-TRU grievance coordinator responded my  
 23 grievance was not accepted, the response was appealed. On 7-11-2019 I filed formal grievance on  
 24 CACC for not facilitating a place and time and the religiously required day for Orthodox Jewish  
 25 Judaism Shabbos Eve ritual services, and for treating me other than similar religious groups. As  
 26 part the ongoing pattern of cruel and unusual punishment by the defendants, on 8-20-2019 upon  
 27 seeing PAC Gumbo, though she layed me in from work under (HSR) she violated the labor and  
 28 industries guidelines, state law, and DOE policy by not reporting a work place injury after I disclosed

1 to hear how the injury occurred, this violation extends also to PACE Christiansen and PACE Horvath  
 2 on 5-22-2019 and 5-25-2019. The injury caused me loss of employment and lost wages from 5-20-2019  
 3 to date. It has been over (6) six months since the date of reporting of the untreated injury.  
 4 On 6-18-2019 at CREE I was seen by PACE Rinic, he informed me that CREE medical had no  
 5 medical records to adequately address my sick-call visit that day and had to refer to  
 6 available information on the computer to assist me. The MCE-TRU defendants willfully  
 7 withheld my medical charts to cause this prisoner continued anguish, abuse and mental distress, due  
 8 to I was sent to CREE from MCE-TRU on 6-10-2019. On 7-10-2019 at CREE K building I personally  
 9 reported to two Rabbis who visited me of The Aleph Institute that I have not been able to  
 10 observe an Orthodox Judaism Shabbos Eve ritual service at CREE-DOE in any form under  
 11 Jewish law since my arrival. Note: Shabbos Eve service are weekly, held Friday evenings.  
 12 Defendants further cause this prisoner irreparable harm by sending me to a DOE medical facility that  
 13 has no physical therapy. MCE-TRU medical facility while at MCE-TRU scheduled PT on 6-10-2019 yet  
 14 MCE-TRU custody put me in a reprisal transfer that date 6-10-2019 to kill any care, delay and  
 15 interrupt. The over all interference and delay in medical care has additionally caused  
 16 Peripheral Neuropathy, reported me by PACE Rinic on 7-24-2019. This condition is a result of damage  
 17 to nerves often causing weakness, pain, numbness, tingling, and the most debilitating balance problems.  
 18 This damage is caused by lack of blood flow to the nerves in the hands, feet, and leg which causes  
 19 the nerve to begin to degenerate due to lack of nutrient flow, and the nerves begin to die as the  
 20 nerve blood vessels become diseased, shrivel and degenerate. This causes burning and many  
 21 additional symptoms. The effective treatment of Neuropathy is finding out 1. What is the underlying  
 22 cause, 2. How much nerve damage has been sustained, 3. How much treatment will the  
 23 condition require. Once a person sustains 85% nerve loss, there is likely nothing that can be  
 24 done for the person period. Defendants have failed to research the three stated factors above. Common  
 25 treatment is prescription drugs that may temporarily reduce symptoms are Gabapentin, Lyrica,  
 26 Cymbalta and Neurontin, they are primarily antidepressants and anti-seizure drugs.  
 27 These drugs have a variety of harmful side effects also cause uncomfortableness. Most clinical goals  
 28 are to establish a detailed neurological and vascular evaluation to increase blood flow, stimulate

1 Small Fiber nerves, and decrease brain-base pain. Low level light therapy, laser therapy,  
 2 surgery, and sound therapy treatment are clinical options of plan of attack. My current condition  
 3 is medically documented as: Atrophy Exacerbation, Sciatic, Lower spine injury, Herniated disk,  
 4 and Neuropathy. The loss of muscle mass is overwhelming. Defendants have denied this prisoner  
 5 his protected right to life, limb, liberty in the pursuit of happiness by transferring and transporting me  
 6 to a institution that fails to facilitate medical physical therapy and no Orthodox Jewish Judaism  
 7 Religious program services, yet only offers Messianic prerequisite and services. The defendants in  
 8 their official capacity failed to adequately transfer me to a facility where physical therapy is available in  
 9 its medical clinic, where immediately care follow up would be achieved to repair and determine cause  
 10 and treatment of injury damage sustained, also failed to transfer me to a facility that  
 11 accommodated my Religious Faith. The Complaint in its full scope shows evidence establishing a  
 12 genuine issue of fact with regard to illegal activity under: willful endangerment, imminent  
 13 danger of serious harm physical and religiously, willful disregard for human life, violations of the  
 14 standard of decency, anti-Semitism, hate crime, discrimination, violation of due process rights,  
 15 damages, property loss, coercion, conspiracy. There is issue of material fact of deliberate  
 16 indifference. The defendants were discriminatory against me on the basis of my Religion and/or  
 17 burdened my right to practice my Faith, retaliated against me for not doing mee-tru setup program,  
 18 and for filing medical and property grievances regarding mail theft and inadequate medical care. The  
 19 June 10, 2019 transfer was in retaliation and interrupted and interfered with urgent medical needs, and  
 20 Religious requirements of an accepted Religion. I did not request the transfer and the transfer was  
 21 not custody related. DOC policy 560.200 Cites, Religious Programs, sets forth the responsibilities of  
 22 DOC in providing Religious and cultural opportunities for prisoners. DOC 560.200 (11), Cites, a  
 23 prisoner will have the opportunity to express his or her Religious Faith, which may include access to  
 24 activities, provided his or her presence at the activity does not present a threat to facility safety or  
 25 security. Further DOC 560.200 (iv)(D) provides that prisoners have reasonable access to religious  
 26 activities. The defendants failed to ensure my rights under DOC policy and constitutional  
 27 provision, and also failed to ensure my rights to adequate medical care regarding physical therapy.  
 28 CREE currently has a Messianic Religious program in place, I am a Orthodox Judaism Jewish

1 prisoner, and the Faiths are too different under Jewish law for orthodoxy, thus I should be  
 2 allowed to practice my Religion separately. Judaism Requires the practice of the use of candle  
 3 lighting, wine I.E. grape juice, and Challah bread in which at minimum requires a Full hour of  
 4 Ritual worship for the purpose of service. Jewish law does not permit travel on Shabbos, so I  
 5 must be granted, a no sponsor status. The defendants neglected to endeavor locating a Facility  
 6 that accommodated my Religious and medical needs, rather CREC was selected by the  
 7 defendants because it did not accommodate my medical and Religious needs, so the placement  
 8 would indeed interfere, interrupt and delay medical treatment pending and the practice of my  
 9 Religion. My transfer to CREC was retaliatory, this extends to the damage and loss of my CD  
 10 Radio and Cassette player under DOC Policy 440.020. Upon my arrival at CREC, PAC Pirie on  
 11 6-18-2019 took over my medical as treating physician in conjunction with PAC Landis as the  
 12 primary care giver, PAC Landis was not seen until 7-17-2019. At time of transfer I was  
 13 awaiting MRI testing to determine surgical need. The MRI was not until 7-3-2019 under  
 14 CREC placement. However, on 7-17-2019 PAC Landis dismissed my condition as common and refused to  
 15 seek further care. I filed a grievance on that day, 7-17-2019. There has been no change in my  
 16 condition to date, and I suffered ill effect with respect to transport from MCC-TRU, well to  
 17 CREC as a result of unwarranted retaliatory transfer. There is genuine dispute as to  
 18 material fact and I am entitled to relief under good cause. I have produced adequate  
 19 significant probative evidence tending to support the allegations within the framework of  
 20 my complaint. I allege the violation of a right secured by the Constitution and laws of the  
 21 United States, and deprivation was committed by a person under color of state law. I have  
 22 established a constitutional violation under the Eighth Amendment due to inadequate  
 23 medical care, deliberate indifference by MCC-TRU medical and prison officials to a serious  
 24 medical and Religious need, including failure of medical officials to protect, manifested by a  
 25 prison doctors failure to respond to a prisoner's need, by intentionally denying and delaying  
 26 access to medical care, and intentional interference with treatment once prescribed, refusal of  
 27 sick-call care, and refusal to block transfer under medical hold, medical malpractice,  
 28 Constitution medical violation, and the victimization and abuse of a prisoner, under medical and

1 Custody personal denial of standard of decency who have inflicted cruel and unusual  
 2 punishment along with prison officials who acted recklessly by exhibiting a conscious  
 3 disregard to a substantial risk of serious harm to this prisoner. I have provided competent  
 4 medical and religious testimony as evidence that support the fact that my medical and religious  
 5 freedoms was jeopardized by the transfer and coordinated logistical capricious efforts  
 6 of the defendant's to deny me life, limb and liberty in the pursuit of happiness and freedoms  
 7 granted under law and U.S. Constitution. The defendant's ensured that the transfer would  
 8 indeed interfere with my medical treatment and religion, and did consolidate transfer of retaliation  
 9 with medical staff and HQ of DOC. The record will reflect that the defendant's sought to  
 10 ignore, isolate and strike from the record my medical and religious status. Under First  
 11 Amendment-Religious Discrimination and Free Exercise I argue as a Orthodox Judaism Jewish  
 12 person and prisoner, that, the defendant's discriminated against me under the premise of  
 13 hate crime and anti-semitism, that defendant's sought to prohibit me from conducting religious  
 14 services, a violation under the Equal Protection Clause and the First Amendment Freedom of  
 15 Religious clause. The defendant's restricted and limited my religious free exercise. The Equal  
 16 Protection Clause requires the state to treat all similar situated people equally, and ensure that  
 17 prison officials cannot discriminate against particular religions, it entitles each prisoner,  
 18 including a prisoner who is an adherent of a minority religion, to a reasonable  
 19 opportunity of pursuing his or her faith comparable to opportunity afforded fellow prisoners who  
 20 adhere to conventional religious precepts. Christian prisoners are given opportunity to  
 21 pursue faith comparable to that given Muslim prisoners. Prisoners must make good faith  
 22 accommodations of prisoner rights in light of practical considerations. The defendant's,  
 23 acting under the color of Washington state law, discriminated against me as a member of  
 24 an identifiable class, and the discrimination was intentional, and showing intentional  
 25 anti-semitism, hate crime and deliberate indifference. The defendant's in a nefarious coarse  
 26 discriminate fashion discriminate against me because I am an Orthodox Jewish prisoner. The  
 27 defendant's treatment of me regarding transfer was retaliatory discrimination by not setting  
 28 forth facility placement that provided an alternate location for me to conduct my religious

1 observance and services, and that could properly accommodate my medical physical therapy  
 2 needs and ongoing treatments recommendations. I have provided evidence sufficient to raise  
 3 a genuine issue of material fact as to the motivations of the defendants. The defendants acted with  
 4 intent to discriminate and impede protected rights. The defendants burdened the practice of my  
 5 Religion by preventing me from engaging in conduct mandated by my faith without  
 6 justification reasonably related to legitimate penological interests, the defendants actions  
 7 reach the level of constitutional violations, the interference with one's practice of Religion, not  
 8 merely inconvenience; the burden is substantial and an interference with a tenet and belief  
 9 that is central to Religious doctrine. The defendants as prison officials showed negligence  
 10 and interfered with a prisoners ability to exercise his Religious beliefs. Defendants under the  
 11 Color of Washington State law knowingly placed a substantial burden on my ability to practice  
 12 Judaism in any form of Orthodoxy for Jewish prisoners at CREC. The defendants have put  
 13 undue pressure on an adherent to modify his behavior and to violate his belief, and have forced  
 14 me to seek accommodations at CREC under grievance program, thus defendants have denied this  
 15 prisoner Orthodox Judaism Jewish service, celebration and Fast while at CREC, a DOC, State  
 16 of Washington prison entity. The discrimination has substantially burdened this prisoners  
 17 practice of Religion. The transfer in retaliation, it chilled my First Amendment Right under (1)  
 18 I was subject to pain, deprivation of care, and Religious exercise, and damage and loss of property.  
 19 (2) The defendants actions was imposed due to my refusal to attend non-court ordered  
 20 programming, and for grievances filed with departments and officials at MEE-TRU. (3) Refusal of SOTAP,  
 21 and usage of grievance program are legally and DOC protected under law and DOC policy. (4) The  
 22 defendants adverse action prevented this prisoner freedom of speech when they refused to allow  
 23 me comments in the (FRMT) documentation on 5-9-2019, in which would have formally  
 24 documented my comments of my medical condition and the reason why HQ transferred me to  
 25 MEE-TRU in November of 2017 under (Jewish Religious Transfer), to add defendants acted to  
 26 silence my grievance against MEE-TRU. (5) The transfer has not advanced a legitimate  
 27 penological goal for rehabilitation of this prisoner. The transfer was the primary focus of the  
 28 defendant to cause me substantial medical and spiritual deprivation and harm as the root

1 motivating factor behind the conduct of the prison officials. (6) The defendants have set  
 2 forth a violation of Freedom of speech. Based upon heretofore with my First Amendment  
 3 rights were actually chilled by the retaliatory actions of the defendants. The transfer was  
 4 retaliation based on the fact that it was solely based on the predicate of, I was unwilling to  
 5 participate in the SOTAP program. Records reflect the 2017 transfer to MCC-TRU from CRCE was  
 6 solely a religious transfer exclusively for Jewish religious services, the 5-11-2018 hard copy  
 7 of the (FRMT) under Melinda J. Murray supports this statement, the July 22, 2019 Response from  
 8 Dale Caldwell, HQ grievance coordinator manager also supports my claims. The transfer was not  
 9 a disciplinary action, nor did transfer relate to a threat to the safety and security of the  
 10 institution, nor was SOTAP court ordered regarding cause of incarceration of this prisoner.  
 11 SOTAP is a volunteer program regarding this prisoner. The defendants regarding medical violations  
 12 under constitutional protections. PAE Christiansen is also in failure of L & I reporting under  
 13 inadequate medical care. PAE Gumbo is also in failure of reporting a workplace injury to  
 14 L & I under inadequate medical care. PAE Horne was in failure to postpone and or stop the  
 15 transfer to CRCE is failure to protect along with her failing to report a workplace injury  
 16 to labor and industries. These defendants as MCC-TRU Health Service Providers have  
 17 denied this prisoner standard of decency and adequate health care and protections, this  
 18 violation of medical protected freedoms extend to the MCC-TRU medical clinics refusal to  
 19 provide this prisoner sick-call service on 3-12-2019, violations of the 8<sup>th</sup> and 1<sup>st</sup>  
 20 Amendments rights to medical adequate care and religious freedoms. Good cause exists in this  
 21 matter because I am not satisfied due to CRCE lack of accommodations for my religious and  
 22 medical needs, a deprivation caused by the MCC-TRU (FRMT) retaliatory transfer. The  
 23 transfer was based on inappropriate and pretextual desire to punish, persecute, harm and  
 24 hurt medical, religious and grievance due process and rights. The transfer was willfully not  
 25 designed to preserve this prisoners 1<sup>st</sup>, 8<sup>th</sup>, 14<sup>th</sup>, and 5<sup>th</sup> amendment rights for medical care,  
 26 religious freedoms, and due processes. The transfer was retaliatory and clearly did not  
 27 advance legitimate penological interest. There is also evidence that the treatment of my CD  
 28 Cassette Radio player was retaliatory as to the damage of a prisoners personal property

1 Regarding shipping of electronic property, along with the defendants not preserving my  
 2 ability to practice my faith, and meet my urgent medical needs. The defendants infringed upon  
 3 my access to exercise my faith, participate in the Doe grievance program, receive adequate  
 4 medical care, and protection of personal property. Due process rights were also violated  
 5 by Radio breakage under the Fifth Amendment and under the Fourteenth Amendment,  
 6 under The Due Process Clause. The loss of personal property, under due process,  
 7 inadequacy is a viable due process claim with respect to the players damage in which  
 8 caused me loss of personal property. The Complaint as a whole, sets that, The  
 9 defendants individually share liability, each defendant has personally participated in  
 10 the acts alleged, and are liable under Constitutional violation provisions for  
 11 participation in a direct violation, and directing violations, knowing of the violations and  
 12 failed to act to cure the violations. Defendants each in their official duties and  
 13 responsibilities conduct cause a constitutional deprivation and were willful  
 14 participants in civil rights violations against this prisoner.

15  
 16 The defendants caused and personally participated in causing the damages and harm  
 17 alleged. Defendants must be held liable solely on the basis of their supervisory  
 18 positions and responsibilities, their conduct was unconstitutional, the facts  
 19 establish and constitute a violation of numerous constitutional rights, due to their  
 20 coordinated efforts to deprave, physical harm, retaliate and religiously  
 21 disfranchise this prisoner, in which has caused a prisoner irreparable harm  
 22 physically, mentally, spiritually and potentially human existentially due to Doe  
 23 has a history of permitting and or arranging demise of a troublesome prisoner  
 24 by way of cell moves, transit or medically induced. Jeffrey Epstein case reflects  
 25 such types of prison irregularities. To add PAC Landis has denied any and all of the  
 26 four nerve medications highlighted on page 4-E.

1 I Richard Headen Warren hereby declare under penalty of perjury that  
2 the facts stated heretowith in this Complaint are correct and true to the  
3 best of my knowledge.  
4  
5  
6  
7  
8  
9  
10  
11  
12

Submitted:

Date: August 30, 2019

Richard Headen Warren

Richard Headen Warren

## Appendix A

With regards to my current disposition Religiously at CRC.

My transfer to MCC-TRU FROM CRC was a CRC Chaplain and HQ Religious program manager arrangement approximately 11-13-2017 For Orthodox Judaism Jewish programming, I.E Services. This condition was agreed to by MCC-TRU Officials and this PRISONER. ON 6-10-2019 MCC-TRU Officials broke that agreement and arrangement For non-custody and non-safety and security of the orderly operation of the Facility Reasons. Thus CRC holds accountability being it was the promoter of the Religious Priority Transfer, thus I am intitled to unconditional services at an unsponsored standing as prior before transfer to MCC-TRU. This intitled weekly Friday evening weekly services 7pm to 8:40pm at M-Building, Room 136, and yearly evening Room times and days For all yearly Jewish High Holy Holidays, 7pm to 8:40pm.

NOTE: Travel is not permitted on Shabbas holiday being Friday evening ending Saturday evening, this is Jewish law For Judaism, in 2013-2017 once annual shabbas services to be done by my without a sponsor due to this law.

NOTE: MCC-TRU Committed Breach of Fiduciary duty.

Appendix B

1  
2 Additional Department of Corrections documentations Claimant Requests  
3 the Court to Review.

4  
5 A. Doc Policy 560.200, 2-17-2014 Revision Religious Program: Expression (B) 1.2.  
6

7 B. Claimant's Medical Records 2-20-2019 to date of Filing of Claimant Complaint.  
8

9 C. Claimant's 3-19-2004 Judgment and Sentence.  
10

11 D. 5-10-2019 Primary Encounter Report of PAC Adelaide O. Horne.  
12

13 E. 5-11-2019 (FRMT) hard copy.  
14

15 F. 5-17-2019 (FRMT) hard copy.  
16

17 G. Claimant's 6-18-2002 Criminal history.  
18

19 H. 7-11-2019 Doc HQ Public Disclosure Response letter.  
20

21 I. HQ Grievance Program Manager 7-22-2019 Response letter; Subject, Religion.  
22

23 J. CRCC mail Room property mail out log 6-25-2019; Subject, CD player.  
24

25 K. Kiosk messages sent/Received, time Frame of 11-13-2017-8-13-2019.  
26

27 L. 7-3-2019 Trios Hospital MRI testing Results.  
28

Appendix B

1 M. 6-10-2019 Callout of MEX-TRU; Subject, physical therapy.

2

3 N. MEX-TRU D-unit Cell move log 11-13-2017 - 6-10-2019. Subject, Abuse.

4

5 O. CREE 6-2019 Property Disposition Form of Claimant; Subject, CD player.

6

7 P. CREE 2017 Transfer Documentation; Subject, transfer of Claimant to MEX-TRU.

8

9 Q CREE 2017 Officials and Chaplain e-mails; Subject, transfer of Claimant to MEX-TRU.

10

11 R. MEX-TRU 2019 Officials and Chaplain e-mails; Subject, transfer of Claimant to CREE.

12

13 S. 2019 Neurologist and Neuro Surgeon opinions and surgical results, Subject,  
14 Claimants Condition and Repairs.

15

16 T. HSR's From 2-20-2019 to date. Note: MEX-TRU moved this prisoner to an upper bunk  
17 while using a cane for an atrophied leg, and  
18 sensation.

19

20

21

22

23

24

25

26

27

28

1 Witness: Duane D. Rhynes, Official Position: Counselor (G-unit)

2 Place of employment: Coyote Ridge Corrections Center

4 Witness: ERIN ASKREN, Official Position: Chaplain

5 Place of employment: Coyote Ridge Corrections Center

7 Witness: Melinda J. MURRAY, Official Position: Counselor (A-unit)

8 Place of employment: Monroe Corrections Complex - Twin Rivers Unit

10 Witness: Henri Fischer, Official Position: Chaplain

11 Place of employment: Monroe Corrections Complex - Twin Rivers Unit

13 Witness: Carlaanne Shuster, Official Position: Grievance Coordinator

14 Place of employment: Coyote Ridge Corrections Center

16 Witness: Shane R. Ribic, Official Position: Health Service Provider

17 Place of employment: Coyote Ridge Corrections Center

19 Witness: C/o Simpson, Official Position: Officer (D-unit)

20 Place of employment: Monroe Corrections Complex - Twin Rivers Unit

22 Witness: C/o Hussy, Official Position: Officer (D-unit)

23 Place of employment: Monroe Corrections Complex - Twin Rivers Unit

25 Witness: C/o Hodgson, Official Position: CS2 Grievance Coordinator

26 Place of employment: Coyote Ridge Corrections Center

28 Witness: Rachel E. Rand, Official Position: CS2 Counselor

Place of employment: Coyote Ridge Corrections Center

I would like the Court to award me the amount of Thirteen Million dollars in  
Compensation For: Pain and Suffering, Mental Anguish, Damages, Care and Unusual punishment,  
Discrimination, Emotional Distress, Mental Cruelty, Religious Rights Violations, Property Damage/Loss,  
Violation of Freedom of speech / due process, Irreparable Harm, Deliberate Indifference, tortures,  
Inadequate Medical Care / Malpractice. I also desire the Court to exempt awardment  
From all Doc Deductions. Lastly, I request of the Court to get Fourth order, ordering  
Care to Re-establish pain weekly and yearly Religious non-sponsored orthodox Judaism  
Religious service and High Holy Holiday Room accommodations and Religious Items Conditions,  
and to get Fourth order, ordering Doc to medically Repair my injury.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 30<sup>th</sup> day of August 20 19.

Richard H. Waldron  
(Signature of Plaintiff)